

2606
25/11/99

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THE 30TH DAY OF MAY 1998

BEFORE

THE HON'BLE MR. JUSTICE K.H.N. KURANGA

CIVIL REVISION PETITION NO. 1307/1998

1. Smt. Gangamma w/o late Anjanappa,
Aged about 49 years.
 2. Sri. Aswathappa s/o Late Anjanappa,
Aged about 31 years.
 3. Sri. Adeppa s/o Late Anjanappa,
Aged about 26 years.
 4. Sri. Ramaji s/o Late Anjanappa
Aged about 24 years. ...PETITIONERS
- All are Residents of Bhovi Colony,
Pavagada Town, Pavagada Taluk,
Tumkur District.

(By Sri. A.V. Gangadharappa, Adv. for petrs.)

- vs -

1. B. Krishniah s/o Thippaiah,
Age: Major, Resident of Venkatammanahalli,
Nagalamadike Hobli, Pavagada Taluk,
Tumkur District.

2. P. Babusab s/o Kiranappa,
Age: Major, Resident of Venkatammanahalli,
Nagalamadike Hobli, Pavagada Taluk,
Tumkur District.
3. The General Manager, National
Insurance Co., Ltd., by its Manager,
Code No. 602 002, Tumkur. ...RESPONDENTS

* * * * *

Civil Revision Petition is filed U/s 115
of CPC against the order dated 22.12.1997 passed in
MVC No. 887/1989 on the file of the District Judge,
& MACT, Tumkur.

This Civil Revision Petition coming on for
ADMISSION this day, the court made the following:

O R D E R

The petitioners are the claimants in
MVC 887 of 1989 on the file of the Motor Accident
Claims Tribunal, Tumkur. They have, in this petition,
challenged the order passed by the Tribunal on I.A.
No. 10 filed by the petitioners for release of
Rs. 50,000/- out of the compensation amount awarded

- 3 -

in the case. The said application has been dismissed by the Tribunal.

The petitioners have not challenged the order passed by the Tribunal directing to deposit the entire amount in the Bank. On the other hand, they filed the application before the Tribunal for release of Rs.50,000/- on the ground that they had borrowed RS.50,000/- for the marriage expenses of claimants 2 and 3. But they have not produced any material to show that they have borrowed that amount. They have also not produced any material to show that the marriages of claimants 2 and 3 were performed.

In the circumstances, the order passed by the Tribunal on I.A.No.10 cannot be interfered with and the petition filed by the petitioners is liable to be dismissed and accordingly, it is dismissed.

Sd/-
JUDGE

A.BY: BY

C.BY: *uf*

R.BY: *KB*

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Assistant Registrar
High Court of Karnataka

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